

ORDINANCE NO. OR: 19/16

AN ORDINANCE AUTHORIZING THE BOROUGH OF WATCHUNG MAYOR AND CLERK TO SIGN A LEASE AGREEMENT BETWEEN THE BOROUGH AND WELDON MATERIALS, INC., FOR A PORTION OF LOT 9.01, BLOCK 76.01 TO CONSTRUCT, OPERATE AND MAINTAIN A NEW COMMUNICATIONS TOWER

**WHEREAS**, the Borough of Watchung has the need to lease real property for the purpose of constructing, operating and maintaining a new communications tower (the "Communications Tower") to be utilized by the Police Department and any other emergency service provider of the Borough in order to better serve the residents of the Borough; and

**WHEREAS**, Weldon Materials, Inc., owns Lot 9.01, Block 76.01 as shown on the Borough of Watchung Tax Map (the "Premises"); and

**WHEREAS**, as a public service, Weldon Materials, Inc., is willing to lease a portion of the Premises to the Borough for a new Communications Tower for nominal consideration; namely, for One Dollar (\$1.00) annually, and for a term of twenty-five (25) years; and

**WHEREAS**, N.J.S.A. 40A:12-5(a)(1) authorizes the Borough to lease real property; and

**WHEREAS**, N.J.S.A. 40:12-5(b) authorizes the Borough to enter into a lease not to exceed forty (40) years, and

**WHEREAS**, Weldon Materials, Inc., and the Borough negotiated a Lease Agreement acceptable to both parties.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, as follows:

1. The Mayor and Clerk are authorized to sign the Lease Agreement.
2. The Lease Agreement shall be for One Dollar (\$1.00) annually for a term of twenty-five (25) years.
3. This Ordinance shall take effect in accordance with law.

**ATTEST:**

**BOROUGH OF WATCHUNG**

  
Michelle DeRocco, Clerk

  
Keith S. Balla, Mayor

Introduced: Black  
Published: July 25, 2019  
Adopted: August 15, 2019